

MINUTES

CASE NUMBER: CV 04-00671HG-LEK
CASE NAME: Raymond Ware vs. Michael Chertoff in his official capacity as Secretary of the Department of Homeland Security
ATTYS FOR PLA: Daphne E. Barbee, Esq.
ATTYS FOR DEFT: Thomas A. Helper, Esq.
Jeffrey Velasco, Esq.

JUDGE: Helen Gillmor REPORTER: Debra Chun
DATE: March 14, 2008 TIME: 9:00 - 12:00
1:30 - 3:30
4:30 - 5:00

COURT ACTION: FURTHER JURY TRIAL - DAY 3

8 jurors present

9:00 a.m. Resume direct examination of Raymond Edward Ware, Sr. (Daphne E. Barbee)
9:09 a.m. Cross-examination of Raymond Edward Ware, Sr. (Thomas A. Helper)
9:50 a.m. Re-direct examination of Raymond Edward Ware, Sr. (Daphne E. Barbee)

10:00 a.m. Plaintiff rests.

CST Lizette Haneberg (Thomas A. Helper)
10:23 a.m. Cross-examination of Lizette Haneberg (Daphne E. Barbee)
10:40 a.m. Redirect-examination of Lizette Haneberg (Thomas A. Helper)
10:41 a.m. Recess
11:00 a.m. CST Jose M. Abrante(Thomas A. Helper)
11:12 a.m. Cross-examination of Jose M. Abrante (Daphne E. Barbee)
11:19 a.m. Redirect-examination of Jose M. Abrante(Thomas A. Helper)
11:20 a.m. CST Johnelle Chon (Thomas A. Helper)
11:27 a.m. Cross-examination of Johnelle Chun (Daphne E. Barbee)
11:35 a.m. CST Robin Wong (Thomas A. Helper)
12:00 p.m. Recess

1:30 p.m. Court's discussion outside the presence of the jury. Government's Oral

Rule 50 Motion - Judgment as a Matter of Law is **DENIED**.

1:45 p.m. Resume direct examination of Robin Wong (Thomas A. Helper)
2:01 p.m. Cross-examination of Robin Wong (Daphne E. Barbee)
2:08 p.m. Direct examination of Kenneth Kamahale (still under oath) (Thomas A. Helper)
2:30 p.m. Re-cross examination of Kenneth Kamahale (Daphne E. Barbee)
2:50 p.m. Re-direct examination of Kenneth Kamahale (Thomas A. Helper)
2:51 p.m. Recess
3:10 p.m. Direct examination of Sidney Hayakawa (Thomas A. Helper)
3:14 p.m. Cross-examination of Sidney Hayakawa (Daphne E. Barbee)

3:15 p.m. Defendant rests.
3:26 p.m. Direct examination of Raymond Edward Ware, Sr. (Daphne E. Barbee)
3:30 p.m. Jury and Court recess.

4:25 p.m. Court's discussion regarding jury instructions/verdict form
5:00 p.m. Recess

EXHIBITS NOT ADMITTED: 2, 211, 206, 15, 16, 206, 46, 16, 208, 12, 201, 33, 12, 45

EXHIBITS ADMITTED: 10, 205, 207, 26, 7, 5

Further trial set for 09:00 AM on March 17, 2008 before CHIEF JUDGE HELEN
GILLMOR

Submitted by: Mary Rose Feria, Courtroom Manager